

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PHILLIP R. TILLIE,

Plaintiff,

v.

C/O BIDDINGER, and  
LIEUTENANT STEVENSON,

Defendants.

Case No: 23-10975

Honorable Nancy G. Edmunds  
Magistrate Judge David R. Grand

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S  
MARCH 5, 2024 REPORT AND RECOMMENDATION [22]**

This matter is before the Court on the Magistrate Judge's March 5, 2024 Report and Recommendation. (ECF No. 22.) The Magistrate Judge recommends that the Court deny Defendant Biddinger's Motion for Summary Judgment on the Basis of Exhaustion. (ECF No. 16.) No objections have been filed. "[T]he failure to object to the magistrate judge's report[ ] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at \*1 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140 (1985)). Nevertheless, the Court has reviewed the pleadings and relevant authority and finds it agrees with the Magistrate Judge's recommendation.

The Court therefore **ACCEPTS and ADOPTS** the Magistrate Judge's report and recommendation (ECF No. 22) and **DENIES** Defendant Biddinger's Motion for Summary Judgment (ECF No. 16).

**SO ORDERED.**

Dated: March 29, 2024

s/ Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 29, 2024, by electronic and/or ordinary mail.

s/ A. Chubb  
\_\_\_\_\_  
Deputy Clerk